

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE ROTAVIRUS VACCINES
ANTITRUST LITIGATION

No. 2:18-cv-01734-JCJ (consolidated)

**DEFENDANT MERCK'S MOTION TO SEAL MERCK'S RENEWED MOTION TO
COMPEL INDIVIDUAL ARBITRATION AND STAY PROCEEDINGS**

Defendant Merck Sharp & Dohme Corp. ("Merck") respectfully requests permission to file under seal its Renewed Motion to Compel Individual Arbitration and Stay Proceedings, including Merck's Memorandum in Support, Statement of Undisputed Material Facts, and any accompanying declarations and exhibits (collectively, the "Summary Judgment Filing") containing Protected Material under the Protective Order (No. 18-01734 Dkt. 81).

Merck's Summary Judgment Filing refers to, quotes, and contains information that has been designated in this litigation as "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" under the Protective Order, and which therefore constitutes Protected Material under that Order. The Protective Order further provides: "In the event a Party wishes to use any Protected Material or any papers containing or making reference to the content of such material in any pleading or document filed with the Court in this Action, such pleading or document and any appended Protected Material shall be filed under seal pursuant to the Local Rules of Civil Procedure for the Eastern District of Pennsylvania, until such time as the Court orders otherwise or denies permission to file under seal." (*Id.* at 18.)

As provided by the Protective Order, Merck will file redacted versions of such filings on the public docket via ECF within seven calendar days of the underseal filing. (*Id.* at 18–19.)

Accordingly, Merck respectfully requests the Court's permission to file its Summary Judgment Filing under seal.

Dated: July 6, 2020

By: /s/ Lisa C. Dykstra
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